

SIXTH ANNUAL REPORT
OF
THE RAILROAD COMMISSION
OF
The State of Florida.

For the Year Ending March 1, 1903.



TALLAHASSEE, FLA.:
Tallahasseean Book and Job Print.
1903.

COMMISSIONERS.

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| R. H. M. DAVIDSON, <i>Chairman</i> , Commissioner; | } July 1, 1897, to Janu'y 3, 1899. |
| HENRY E. DAY, Commissioner; | |
| JOHN M. BRYAN, Commissioner; | |
| J. L. NEELEY, JR., <i>Secretary</i> . | |
| HENRY E. DAY, <i>Chairman</i> , Commissioner; | } Janu'y 3, 1899, to Jann'y 8 1901. |
| JOHN M. BRYAN, Commissioner; | |
| JOHN L. MORGAN, Commissioner; | |
| JOHN L. NEELEY, <i>Secretary</i> . | |
| *HENRY E. DAY, <i>Chairman</i> , Commissioner; | } New term beginning January 8, 1901. |
| JOHN M. BRYAN, Commissioner; | |
| JOHN L. MORGAN, Commissioner; | |
| †JOHN L. NEELEY, <i>Secretary</i> . | |
| JOHN L. MORGAN, <i>Chairman</i> , Commissioner; | } October 1, 1902, to January 6, 1903. |
| JOHN M. BRYAN, Commissioner; | |
| R. HUDSON BURR, Commissioner; | |
| ROYAL C. DUNN, <i>Secretary</i> . | |
| JEFFERSON B. BROWNE, <i>Chairman</i> , Commissioner; | } Present term be- gan Jan. 6, 1903. |
| JOHN L. MORGAN, Commissioner; | |
| R. HUDSON BURR, Commissioner; | |
| ROYAL C. DUNN, <i>Secretary</i> . | |

*Henry E. Day resigned October 1st, 1902, and was succeeded by R. Hudson Burr. At the same time John L. Morgan was elected Chairman for the rest of the term.

†Resigned October 1st, 1901, and Royal C. Dunn was elected as his successor.

Report of the Railroad Commission.

OFFICE OF THE RAILROAD COMMISSION,

STATE OF FLORIDA,

Tallahassee, Fla., March 1, 1903..

To His Excellency,

W. S. JENNINGS,

Governor of Florida.

Sir:—In compliance with the requirements of the statute establishing the Railroad Commission of Florida, we have the honor to submit our sixth annual report for the year ending March 1, 1903.

COMPLAINTS.

During the time included within this report, there have been received by this Commission eighty-eight complaints against the railroads and common carriers doing business in this State, for wrongs alleged to have been committed by them, either by acts of commission or omission.

Six of these complaints were from shippers and receivers of freight in different sections of the State of failure of the railroads to furnish proper equipment for the prompt movement of freights. These were taken up with the transportation authorities at once, in some instances by telegraph—as in a case where it was reported that melons were lying on the ground at the shipping point awaiting cars for movement. In each instance the Commission was able to render much assistance in securing proper relief.

There were ten complaints from as many different towns, of inadequate depot facilities. At three, there were no depots, and we were petitioned to compel the erection of suitable ones. At another, the waiting rooms were not kept open at night..

Four of the towns complained that they had only one waiting room for both white and colored passengers. At two, complaints were made that the railroads had no agents, although there was sufficient business to justify them in establishing a permanent agency. There were twenty-one complaints of shipments delayed in transit, and of the non-payment of claims against the transportation companies for overcharges and loss and damage. The remaining complaints were concerning rates and classification of freights, some of them relating to interstate shipments over which this Commission has no control. All of these complaints were taken up and investigated by this Board, and such disposition made of them as in our judgment seemed best. Of these eighty-eight complaints, sixty have been adjusted, and twenty-eight are still pending. In addition to the above, there were a number of complaints of lesser importance.

CLAIMS.

There have been one hundred and sixteen claims for overcharges, and loss and damage, received and placed on file during the year. These claims amount in the aggregate to \$2,459.56. Seventy-three claims amounting to \$1,289.09 were collected from the railroads and refunded to claimants. Sixty-two of these were filed this year. Five claims amounting to \$87.49 were satisfactorily settled other than by payment. Four claims, amounting to \$27.60 proved to be unfounded and were withdrawn by claimants. Claims to the number of six, amounting to \$421.07, for various reasons were declined by the railroads, and being interstate, for the collection of which, we have no power to bring suit, they were referred back to the claimants for them to exercise the right which they have to bring suit in their own names. Thirty-six claims, amounting to \$700.23, are now in course of adjustment. The smallest amount collected and refunded was five cents, and the largest claim collected was \$150.00. The size of the claim has had nothing to do with our efforts to collect

it If a small claim is just, we give it as much attention as a larger one.

The claims department of the Commission is growing to be of great value to the people. We have collected many claims during the past year which claimants had endeavored to collect for months, and only referred them to us as a last hope. It is our belief, that there are many just claims against the transportation lines for overcharges and loss and damage which claimants do not insist upon because the amount involved is small. While this is true, it is as much to them as it is to the railroads; and it is only necessary to forward bills of lading and expense bills with a simple statement of the facts to the Commission, when they will be taken up with the transportation company and the amount collected and refunded. As this fact becomes more generally known throughout the State, this department of the Commission will become each year more valuable to the public.

When an interstate claim is sent to us, we examine into it, and if we find it a just one, we take it up with the railroad and urge its settlement, and in a majority of cases, we are able to secure payment.

When a claim is refused by the railroads, which the Commission, after investigation considers a just one, we refer it back to the claimant, informing him that the Commission has no authority under the law to sue for an interstate claim, and advise him to bring suit in his own name.

CORRESPONDENCE.

There have been 1,510 letters addressed to 371 different persons during the year just passed. 3,000 copies of the 5th Annual Report have been sent out; and several thousand copies of Rates, Rules and Regulations, pamphlets containing the Commission Law, and Classifications have been distributed over the State. We have a large supply of these on hand in the office at all times to be sent out for the information of the public, and we are glad to furnish them to any one upon request.

HEARINGS.

The Railroad Commission law requires that before any change or amendment can be made in any Rate, Rule or Classification, or before any fine can be imposed, there shall be a public hearing, upon ten days' notice to the parties interested.

There have been thirteen of these public hearings during the past year. The first was on March 1st, 1902, when certain changes were made in the Classification. The second was on May 1st, when a change was adopted in the rules. The third and fourth were on June 1st and September 15th, respectively, when changes were ordered in the rates for the use of the Georgia, Florida and Alabama Railway Company in Florida. The fifth took place on October 1st, when reductions in the Fruit and Vegetable rates were adopted. The sixth was on November 22nd, to consider and take action on the refusal of the Louisville and Nashville Railroad Company to act as a common carrier, which resulted in that road being fined \$7,000.00. The seventh was on December 5th, when amendments were made to the rules. The eighth was on January 13th to consider the violation of Rule 7, of the Rules and Regulations, by the Georgia, Southern and Florida Railway Company. The ninth was on February 23rd, when the Seaboard Air Line Railway Company was fined two hundred dollars for failure to furnish care. The tenth was on February 24th, when freight rates were reduced on the Seaboard Air Line and the Atlantic Coast Line railroads. The eleventh was on February 25th, when passenger rates were reduced on the Atlantic Coast Line and Louisville and Nashville railroads. The twelfth was on February 26th, to consider rates on lumber, phosphates and naval stores from producing points to Fernandina. The thirteenth and last was on February 27th, to consider charges against the Seaboard Air Line Railway Company for violation of the Classification.

FRUIT AND VEGETABLE RATES.

After careful consideration of the rates on Fruits and Vegetables to Florida base points for beyond, the Commission came to the conclusion that these rates were unreasonably high; whereupon a new schedule of rates was prepared and submitted to the different railroads doing business in the State, and they were notified to appear before the Commission in Jacksonville, on the 26th day of October, 1900, to show cause why the proposed rates should not go into effect. The contentions of the traffic men at this meeting were, that the existing rates were not unreasonably high; that the market prices fully justified them; that the best interests of the fruit and vegetable growers demanded, not that the freight rates be reduced, but that quicker and better transportation be afforded them. They represented that in order to meet the emergency, they had gone to heavy expense in the improvement of their transportation facilities, and that greater improvements in that direction were in contemplation, but that the business did not justify, nor would it stand any reduction in the freight rates.

After hearing the arguments in opposition to the proposed rates, the matter was postponed without date; but was afterwards a subject of frequent discussions among the Commissioners themselves and with the traffic men.

On January 18th, 1901, a meeting was held at Miami to organize a Fruit and Vegetable Growers' Association, and the Commissioners were invited to attend. One of the purposes of this organization, as explained, was the procurement of more reasonable freight rates, and to this end the authority vested in the Railroad Commission was invoked. Early in the month of July, 1901, a member of the Fruit and Vegetable Growers' Association appeared before the Commissioners in Tallahassee, and petitioned them to hold a meeting at some point on the Florida East Coast Railway, and to notify the traffic managers of the road to appear and show cause why their Fruit and Vegetable rates should not be reduced. This

the Commission agreed to do, and Fort Lauderdale was the point selected and October 23rd, 1901; the time named for this hearing. At this meeting the Fruit and Vegetable growers presented their side of the question; the traffic men did attend, but requested an opportunity to be heard on some subsequent date, which request was granted, and December 12th, 1901, was the date set. On this date Mr. J. R. Parrott, Vice-President, and Mr. J. P. Beckwith, Traffic Manager of the F. E. C. R. R., were present, and represented the Railroad Company. Mr. Parrott, in his argument against reduction, stated that a majority of the growers along the line of the East Coast road were not dissatisfied with the freight rates; that they preferred rapid transportation to lower rates; that his Company had gone to heavy expense in giving them the most rapid and best shipping facilities possible, and that, with a few exceptions, the people were satisfied; that they were then spending large sums of money in renewals and betterments to their property and that on account of the great costs of these necessary improvements which were made more expensive by a considerable advance in the prices of material, fuel, &c., they could not, at that time, stand any reduction in their freight rates. In reply, Mr. Parrott was told that his Fruit and Vegetable rates were regarded as being unreasonably high, and that the rate previously submitted would be acceptable to the Commission. After consideration, Mr. Parrott agreed to reduce his rates, starting at Miami with a reduction of five cents per box, provided he be allowed to line up a little and to finish moving the present crop at the higher rate then in operation. He also requested that the new rate be not promulgated until the 1st of September, 1902. All of which was agreed to, and the lining up was subsequently done by correspondence, and finally to the satisfaction of the Commission. This action on the part of the Florida East Coast Railway Company in accepting, practically, the rate submitted to them, was very much appreciated by the Commission, as it paved the way for a settlement

of this very knotty problem, with other lines without expensive litigation.

The 1st of October, 1902, was set for a hearing for the Atlantic Coast Line, Seaboard Air Line, Jacksonville and Southwestern, Gainesville and Gulf, and Tavares and Gulf railroads. At the appointed time, the officials of these roads appeared and endeavored to have consideration of the matter postponed until a future date, contending that they had not had sufficient time in which to ascertain how much reduction in their revenues the proposed rates would make. The application for a postponement being denied, the rates were then taken up with each road separately; the time required to do this extending through several days, resulting in an amicable settlement of the freight rates on Fruits and Vegetables to Florida base points for beyond, which carries a reduction of from one to six cents per box from the fruit and vegetable growing sections; the greatest reductions being at points from which the largest shipments are made.

From actual calculation based on last year's shipments, the traffic manager of the Florida East Coast Railway Company shows that the new rate will take \$45,000 per annum from the revenues of that road. The Commission estimates that the new rates will save to the fruit and vegetable shippers on all lines \$90,000 per annum. It is not believed, however, that this reduction of \$90,000 in the fruit and vegetable rates will decrease the revenues of the railroads. Our people are not hoarders; they use their surplus in pleasure, which includes travel, and in expansion of business; and while that fact is not considered in rate making, it is sincerely believed by this Commission, that the recent reductions in rates will add to, rather than detract from their revenues.

CLASS RATES.

After the reorganization of the Board on October 1st, last, the Commission believing the freight rate in use were too high and out of proportion, took up the question with a

view of reducing the rates and making the several classes line up in better proportions.

After a thorough investigation, it developed that there was no rule for rate making in any of the States, nor had the railroads any fixed rule.

The Commission spent much time and labor trying to fix a sliding scale by which rates might be lowered or raised by percentage, as the conditions might justify, but it was found that the rates were so out of proportion in their relation to one another that it was impossible to use a percentage rule. It would work too great a reduction on the short haul and raise the rates very materially on the long haul, and would also tend to raise the rates on some smaller roads. In the opinion of the Commission, the lowest rates operated by any of the roads doing business in the State were high enough already, so they set about to reduce the freight rates on a greater number of the classes, with the view of making them more uniform, and prescribing for the different roads in the State a Standard Rate, where their earnings would justify it, and for lines whose earnings would support a greater reduction than the Standard Rate, prescribed a certain percentage less, or where they would not be able to operate the Standard Rate, to allow them to add to it a certain percentage.

The Commission hopes eventually to get the Standard Rates so uniform that future changes can be made effective by a percentage sliding scale.

On the 4th day of December, 1902, the Commission issued a notice to the Atlantic Coast Line Railroad, Seaboard Air-Line Railway, and the Pensacola and Atlantic Division of the Louisville and Nashville Railroad Companies to appear in Tallahassee and show cause why such rates as were proposed by the Commission should not go into effect.

The hearing in these cases was set for January 7th, 1903. At this meeting, the railroads entered a request for further time in which to allow their auditing departments to figure out just how the proposed reductions would effect their earnings. The Commission deemed it wise to allow an ex-

tension of time, so February 24th was set for the final hearing; and after hearing the representatives of the roads, the Commission adopted the proposed rates as Standard Rates, and applied them to the Atlantic Coast Line Railroad and the Seaboard Air Line Railway, but deemed the showing made by the Louisville and Nashville for the Pensacola and Atlantic Division, sufficient cause for not ordering them in on that division, but they were required to line up their rates to conform as nearly as possible to the Florida Classification.

RULES AND REGULATIONS.

During the period covered by this report, it has been found necessary to make certain changes in the Rules and Regulations heretofore prescribed by this Commission for the government of the common carriers doing business wholly or in part within this State. In each instance, the need of these changes was called to our knowledge by complaints of wrongs, for the correction of which, we had no rules.

From all points within this State where there are no track scales, it is necessary to ship lumber and like freights at estimated weights. These estimated weights are allowed and authorized by this Commission in the Rules and Regulations "Governing the Transportation of Freight." The estimated weight on yellow pine lumber, seasoned, was fixed at 4,000 pounds to the 1,000 feet.

Numerous complaints were made to the Commission, in March and April, from lumber dealers in different sections of the State, that the estimated weight on yellow pine boards, two inches and less in thickness, kiln dried and dressed, which were included under the head of "yellow pine lumber, seasoned," were excessive. The first day of May, 1902, was appointed for a hearing in the matter, and the transportation officials and others interested were notified to be present.

At this hearing, it was shown conclusively that yellow pine boards, kiln dried and dressed, weighed much less than four pounds to the foot, and that rates named on that basis were un-

fair and much in excess of what they should be. The Rules and Regulations were, therefore, amended so that yellow pine boards of the above description would take an estimated weight of 3,000 pounds to the 1,000 feet. This change in the rules made a net reduction in the freight charges on this class of lumher of 25 per cent.

In another part of this report, mention is made of the lack of promptness, on certain occasions, on the part of some of the railroads in furnishing facilities for the transportation of freights. In a case where there was an absolute refusal to transport freights when offered, ample remedy was afforded in Rule 3 of the "Rules Governing the Transportation of Freight," which is as follows:

3. "No railroad company shall decline or refuse to act as a common carrier to transport any article proper for transportation."

But in a case where there was no absolute refusal to act as a common carrier on the part of the railroad company, but simply a lack of promptness, caused by negligence, carelessness or design, it was thought that the above rule was not sufficiently clear. It was, therefore, proposed to amend Rule 3 by the addition of the following:

"And a failure to transport such article within a reasonable time after the same has been offered for transportation shall be deemed a violation of this rule."

At a meeting of the Commission on December 5th, 1902, the railroads were given an opportunity to be heard in the matter, and the proposed amendment was adopted.

On the same date, a change was also ordered in Rule 19. which prescribes that where a shipment shall be transported over two or more roads, from a point within this State to a point within this State, the total through freight charges shall not be greater than the sum of the local rates on such freight for the distance hauled over each road. The rule fixed what the total through rate should be, but authorized the roads at interest to divide the total rate into such proportions among themselves as they might agree upon.

It came to our attention by complaints, that as the rule then

stood, in a case where three or more railroads formed a junction, it was possible for one of those roads to be discriminated against, by the second allowing a greater proportion of the through rate to the third road than to the first.

To prevent discrimination in a case of that kind, Rule 19 was changed by the addition of the following:

"Provided, however, that no railroad company shall discriminate between any other two or more railroad companies when the conditions and circumstances are practically the same."

CLASSIFICATION.

The making of changes in their Classification has always been a favorite method the transportation companies for raising freight rates. By this system the rate could be raised on an article, by taking it from a lower and placing it in a higher class. This could be done without attracting any general notice, and yet in the end would answer the same purpose as a raise in the rate. To prevent this, early in the history of the Commission, steps were taken to make the Classification on intra-state business fixed, and unchangeable without the consent of this Commission.

The preparation of a Classification of our own was a large undertaking, requiring time and labor, so the Commission as a temporary expedient adopted the Classification in use by the railroads, with our published exception sheet thereto, as the fixed Classification for the use of the transportation lines. This action put a stop at once to sudden and uncalled for changes, and prevented any increase in rates, by this method.

Work was then begun on a Classification of our own and later, as shown in our 4th annual report, this Classification was prepared and adopted and is now in use on the railroads in this State.

It is obvious, that as time passes and conditions change, certain additions and amendments must be made to a work of this character, affecting as it does every article proper for transportation, but in all such cases both the public and the trans-

portation lines must have an opportunity to be heard, and to urge any objection that they may have before the change can be made.

As the classification was formerly a weapon in the hands of the common carriers to increase rates, we have found it an instrument to reduce rates in certain justifiable instances. Herewith is a case in point: Early in the year 1902, complaints were made to the Commission that the rates on fruit, berry and vegetable baskets were too high. The minimum weight per car load as fixed by our Classification only allowed 10,000 pounds. For a number of years, the railroads had allowed this character of freight to be loaded and shipped in a car without regard to weight, on the theory that it built up an industry that furnished a return haul, but about this time there appeared upon the scene what is known as the Southern Weighers and Inspector Bureau. This Bureau assumes the right to weigh and inspect all freights. This at once restricted the fruit, berry and vegetable baskets to the 10,000 pounds minimum per car load authorized by the Commission's Classification, and increased the freight charges more than was considered reasonable.

Thereupon, the railroads were notified that there would be a hearing of the Commissioners on the 5th of March, 1902, at which time it was proposed to increase the minimum weight per car on fruit and berry baskets to 15,000 pounds and on vegetable baskets to 20,000 pounds. On the date named the railroad officials appeared and made arguments opposing any change, but after considering both sides of the question, the proposed changes were adopted and are known as Supplement No. 2 to the Classification.

PASSENGER RATES.

For some time past, there has been a general feeling throughout the State that the passenger rates in use by the railroads of Florida were unreasonably high. As is well known to the public, it was the intention of the Commission, soon after its

reorganization in January, 1903, to take up the question and to prescribe a three cent per mile passenger rate for all the railroads in the State whose earnings would justify the reduction.

The Florida East Coast Railway and the Seaboard Air Line Railway Companies, in anticipation of the action of the Commission to order a three cent passenger rate into effect, reduced their passenger rates to meet the contemplated reduction by the Commission.

On January 31st, 1903, the Commission notified the Atlantic Coast Line and Louisville and Nashville Railroad Companies, that they would hold a meeting on the 25th day of February, 1903, to consider the adoption of a three cent passenger rate on their lines, and after hearing the representatives of these railroads, the Commission ordered the three (3) cent rate put into effect on the main line of the Atlantic Coast Line, the order for which will be found in Appendix, pages 54 and 35.

In the case of the Louisville and Nashville Railroad Company, the three cent rate was ordered to be put in operation, but owing to certain conditions existing on that line, and the Commission being desirous of seeing the effects of the reduction on the gross earnings from passenger business, which could better be done by comparing their reports for the full fiscal year, they were given until July 1st, 1903, to put the same in operation.

WILLISTON DEPOT.

At a meeting of the Railroad Commissioners on the 15th day of September, 1902, a petition, numerously signed by citizens of Williston, a station on the line of the Seaboard Air Line Railway, in Alachua county, was taken up and considered. The citizens of this place prayed the Commission to require the railroad to erect an additional waiting room at their station. They complained that there was only one wait-

ing room, and that as a consequence it was often overcrowded with colored passengers, and there was no convenient waiting place for white patrons of the road. We took up the question at once with the transportation line, and kept it constantly before them until a satisfactory adjustment was made. We were informed on November 20th that the additional room would be erected at once; and afterwards we were advised by the petitioners that the building was completed in accordance with their requests.

BELLEVUE DEPOT.

On October 10th, 1902, the Commission received a petition signed by numerous citizens of Bellevue, Marion county, Florida, a town on the Seaboard Air Line Railway. The petition set forth that on June 12th, 1902, the depot at that point caught fire by sparks from a passing locomotive and was burned to the ground; and that since that date, although they had urgently requested the railroad to erect a new depot, nothing had been done. They further alleged that by reason of their having no depot, they were greatly inconvenienced in their business, and that there was no protection whatever for their incoming and outgoing freights.

The matter was taken up with the railroad officials by correspondence, but nothing having been heard from them within a reasonable time, a further communication was addressed to them, and arrangements were made for one of the Commissioners to visit the place and make a personal investigation of the conditions. Just before the date appointed for the visit, we received advice from the railroad that the work of constructing the depot was under way. We immediately wrote for a confirmation of this information, and in reply were advised that some material had been placed on the ground, but no work of construction had been done. Finally, on the 31st day of January, 1903, the railroad officials were advised by the Railroad Commission that unless work was begun on the depot at Bellevue within ten days, a peremptory order would be issued requiring it. A few days after this,

we were informed by the petitioners that the erection of the depot was well under way, and that they had no further complaint to make.

HAWTHORNE DEPOT.

Complaint was received from citizens of Hawthorne, a station on the line of the Atlantic Coast Line Railroad, dated December 11th, 1903. They charged that there was but one waiting room for white and the colored patrons of the Atlantic Coast Line at that station, and that very often this room was taken possession of by colored people, and ladies and children were forced to stand on the platform, or get what accommodations they could in the freight room. The complainants petitioned the Commission to give the matter prompt attention, that they might have an additional waiting room. The complaint was immediately brought to the attention of the Atlantic Coast Line officials, with the request that the Commission be advised whether the additional waiting room would be erected without the necessity of a formal order. On December 17th, we were informed by the road that instructions had been issued to have the waiting room provided at once, and on January 27th, 1903, information was received that the additional room was completed.

AGENCY AT ROCKLEDGE.

Complaint having been made to the Commission that the conditions at Rockledge required that a freight agent be stationed at that point on the Florida East Coast Railway, and the Commission being unable to arrive at the true condition of affairs there without a personal investigation, visited Rockledge and Cocoa on January 20th and 21st, 1903, and met most of the principal shippers from that section, and visited the groves from two miles south of Rockledge to Cocoa.

After duly considering the question, the Commission reached the conclusion which is embodied in Order No. 2, page 30.

CLEARWATER DEPOT.

Complaints were also made by the citizens of St. Petersburg and Clearwater, that the depot facilities at those points were insufficient, and that there was no waiting room for passengers at Port Tampa.

The Commission visited those points and met the citizens and heard their complaints, and decided that they were entitled to the relief prayed for, and took the matter up personally with Mr. W. B. Denham, Superintendent of the Atlantic Coast Line Railroad Company, who admitted the reasonableness of the requests of the people for better depot facilities. He stated that orders had been given to increase the side track and depot space at Clearwater, and that the work would be pushed forward as rapidly as possible.

ST. PETERSBURG DEPOT.

He also admitted the necessity for more and better depot facilities at St. Petersburg, but was confronted with the problem of inadequate holdings of land by the Atlantic Coast Line Railroad Company where the present depot is situated. There is a vacant square adjacent to the depot at St. Petersburg, which is controlled by the city, and he stated that if the citizens of St. Petersburg would give the Atlantic Coast Line Railroad Company this land to be used for the erection of depots, and laying off grounds for approaches, that he would proceed at once to build larger and more substantial freight and passenger stations.

This the Commission laid before the Mayor and City Council of St. Petersburg, and suggested the reasonableness of the request, and the matter is now in process of adjustment between the city of St. Petersburg and the Atlantic Coast Line officials.

DEPOT AT PORT TAMPA.

In the matter of waiting room at Port Tampa dock, the Commission, after a full investigation of the subject, issued

an order to the Atlantic Coast Line Railroad Company directing them to erect a suitable waiting room, not less than four hundred square feet, with toilet, etc., and on February 20th, we received a communication from the railroad stating that the waiting room would be erected as soon as the material could be gotten on the ground.

REFUSAL TO FURNISH CARS.

During the past year it came to the attention of the Railroad Commissioners by a number of complaints, that some of the railroads of the State failed to furnish cars promptly after they had been ordered for the movement of traffic. These complaints came principally from shippers of lumber who were inconvenienced and damaged by lack of cars. In some cases, ships awaiting cargoes were on demurrage because the railroads failed to furnish the equipment in time for transportation.

On October 21st, 1902, a complaint of more than usual importance, was brought to our notice by D. M. Lowry, manager of the Florida Cotton Oil Company, at Tallahassee. It was complained that the Louisville and Nashville Railroad Company had refused to furnish cars to shippers of cotton seed on the line of that road in Florida, offered to them for transportation to Tallahassee, Florida.

The matter was immediately taken up with the transportation company by correspondence, but after a delay of ten days, nothing definite having been heard from the officials of the road, some of our communications having been entirely ignored and no cars having yet been furnished to shippers, Mr. Lowry, manager of the Florida Cotton Oil Company, of Tallahassee, Florida, formally charged the Louisville and Nashville Railroad Company with refusing to perform the duties of a common carrier. He alleged that the transportation company had on nine different occasions failed and refused to furnish cars to shippers of cotton seed at Marianna, Cottondale and Sneads, for movement to Tallahassee, although

in some instances these cars had been ordered for more than a month. He further charged that the railroad company issued instructions to their agents to refuse to issue bills of lading for cars of cotton seed for transportation to Tallahassee.

Such a flagrant violation of the Railroad Commission law and rules, called for prompt and vigorous action by the Commission, and notice of the charges was duly served upon the railroad company and that there would be a hearing of the Railroad Commissioners on the 22d day of November, 1902, to consider and take action upon said charges, and that they would then and there have an opportunity to be heard and to show cause, if any they had, why a fine of not more than five thousand dollars should not be imposed for each such offense.

At the appointed time, both the complainants and defendants and witnesses who had been summoned, appeared before the Commissioners at their office in the city of Tallahassee, and were examined under oath as to the truth of the charges. The shippers who appeared as witnesses, stated that they had asked for cars for the transportation of cotton seed from points on the line of the Louisville and Nashville Railroad in Florida, to Tallahassee, at the times, places and in the manner alleged, and that the railroad company had refused to furnish them. The railroad company was represented by one of their traffic officials, who in his statement of the position of the road admitted that orders had been issued not to allow Louisville and Nashville cars to go off that line.

After due consideration, the Commissioners decided that the charges had been fully sustained in each instance, and that the Louisville and Nashville Railroad Company had been guilty of such violation, and had thereby incurred a penalty for each offense, which penalties the Railroad Commissioners fixed and imposed in the aggregate amount of seven thousand dollars, and the railroad company was directed to pay said amount to the State Treasurer of Florida.

As the fines were not paid in a reasonable time, special counsel were employed, and suit was begun on January 5th, 1903 for the collection of the penalties. This suit is now pending in the courts.

The prompt and vigorous action of the Commission in this matter had a wholesome effect. In the instance above mentioned, on the day after receipt of the notice of the charges by the Louisville and Nashville Railroad Company, the shippers of cotton seed on the line of that road began receiving cars, and there has been no further trouble from a lack of cars on that line.

GILMORE & DAVIS CO.'S COMPLAINT.

On the 19th of January, 1903, a formal complaint against the Seaboard Air Line Railway Company was made by Gilmore & Davis Co., charging it with having violated Rule 3, of the "Rules Governing the Transportation of Freight," by failing to furnish cars to move brick from Durr's Siding, within a reasonable time after request or demand for same.

This complaint was first taken up by the Commission with Mr. D. E. Maxwell, Superintendent S. A. L. Ry., on December 15th, 1903, and it was not until six weeks after the first complaint that the Commission served formal notice of the charges on the Seaboard Air Line Railway Company, and summoned it to appear and show cause on the 23d day of February why it should not be fined for violation of said rule.

After hearing the answer and defense of the said Seaboard Air Line Railway Company, the Commission were satisfied that its rules had been violated, and that the railroad company could by the exercise of proper diligence have furnished the cars desired, and imposed a fine of \$200.00 on the Seaboard Air Line Railway Company for violation of said rule.

The Commission did not consider the violation a flagrant or willful one, and made the fine as low, as in their judgment the circumstances of the case required.

AMENDMENTS TO R. R. COMMISSION LAW.

In January of this year, the Governor of Florida referred to this Commission a petition from the citizens of Tampa complaining of certain acts of the Mobile and Ohio Railroad Company, and other companies having connections therewith, which were claimed to be so discriminating against the Tampa Steamship Company as to force them to take their ship off the run from Mobile to Tampa, to the great injury of the people of Tampa and the southern portion of the State. The Commission are investigating the conditions, with the view of taking the matter before the Interstate Commerce Commission, if we can see our way clear to do so, but Section 7 of the act creating the Commission is so limited in its operation that the case seems scarcely to come within the provisions of the law.

Section 7, of the Railroad Commission law of 1899, provides that the Railroad Commission shall appeal to the Interstate Commerce Commission for relief whenever "*any through rate* charged into or out of Florida is excessive, or unreasonable, or discriminating in its character," thus limiting the right of the Commission to appeal to the Interstate Commerce Commission to cases when a *rate* is excessive or unreasonable or discriminating in its nature. In the Tampa Steamship case, it was not an "excessive, unreasonable or discriminating *rate*" that was complained of, but that the rules and regulations of the Mobile and Ohio Railroad Company, and other companies having connection therewith, were so unreasonable and discriminating in their nature, as to drive the steamship company out of business, and deprive the people of the benefits which they had a right to derive therefrom.

In our opinion the law should be amended to cover such cases by extending the right of the Railroad Commission to invoke the aid of the Interstate Commerce Commission, when any transportation company engaged in interstate commerce "shall charge a through rate into or out of Florida," or shall

make any rule or regulation "which is unjust, excessive, unreasonable or discriminating in its nature."

The Commission law, provides that when a party sues a railroad for "an overcharge, or other pecuniary injury, he shall be entitled to recover the total amount of such overcharge or pecuniary injury, with interest thereon, together with such additional amount as the jury may find necessary to reasonably compensate him for all expenses, including the value of his own time, and services, and all reasonable costs and attorney's fees incurred in the recovery of such damages."

—Sec. 13, Chapter 4700, Laws of Florida, approved June 30, 1899, Railroad Commission Law.

The reason for this provision of the law is that a majority of the cases of overcharges, are so small that an aggrieved party cannot afford to pay an attorney and costs and expenses, to litigate for his rights.

The same reason applies with equal force to claims for interstate shipments, and we see no reason why the same measure of damages should not apply in interstate cases, and we recommend that the law be amended to give any party who has been wronged—whether the transaction be inter or intra-state—his attorney's fees, and the costs and expenses incurred in litigation.

ORDERS.

After the re-organization of the Railroad Commission in January, 1903, they adopted the practice of issuing an order in all cases where they are called upon to render a decision, and they have up to this time made nine orders, copies of which are attached to this report, Appendix A.

Respectfully submitted,
JEFFERSON B. BROWNE, *Chairman*,
JOHN L. MORGAN,
R. HUDSON BURR,

Commissioners.

ROYAL C. DUNN, Secretary.

EXPENSES OF RAILROAD COMMISSION FOR YEAR
ENDING DECEMBER 31, 1902.

| | |
|---------------------------|------------|
| *Legal expenses | \$1,207.30 |
| Transportation | 133.55 |
| Stationery | 171.74 |
| Printing | 769.20 |
| Postage | 312.02 |
| Freight and drayage | 34.91 |
| Fuel and lights | 48.05 |
| Telegraph | 28.15 |
| Fixed expenses | 815.10 |
| <hr/> | |
| Total | \$4,285.22 |

*Under legal expenses, one voucher for \$500.00 is included which was issued in 1901, but which was not presented for payment until this year, and the above expenses of the Commission for the year were therefore properly \$500.00 less than shown above.

APPENDIX A.
Orders.

Orders.

ORDER NO. 1.

RAILROAD COMMISSION, STATE OF FLORIDA,
Tallahassee, Fla., Feb. 6, 1903.

TO ALL RAILROAD COMPANIES AND COMMON
CARRIERS DOING BUSINESS IN FLORIDA:

It has been brought to the attention of the Railroad Commission by numerous complaints made to this office that your local agents in making out bills lading fail to insert rate, class, freight, and charges opposite the respective articles enumerated for transportation.

We desire that you issue instructions to your local agents in Florida, calling their attention to this violation of the rules of the Railroad Commission, and directing them to make out all bills lading in accordance with the above.

We note also that your agents in making out freight bills fail to fill out the column under their respective headings, and we request that you give them instructions so to do. Otherwise, the Commission will make a rule designating the form in which all freight bills shall be made out, and require a strict compliance with the same.

By order of the Railroad Commission of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 6th day of February, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: ROYAL C. DUNN, Secretary.

ORDER NO. 2.

RAILROAD COMMISSION, STATE OF FLORIDA,
Tallahassee, Fla., Feb. 6, 1903.

DEPOT AGENCY AT ROCKLEDGE.

In the matter of the petition of the citizens of Rockledge to require the Florida East Coast Railway to have a freight agent at that point, the Commissioners visited Rockledge and Cocoa and personally investigated the conditions there and heard the shippers in relation to the needs of both places, and do not feel justified in ordering that a freight agent be stationed at Rockledge. Cocoa, where the bulk of the business in that vicinity is done (there being a number of stores there and only one at Rockledge) is one and a half miles away, and all of the large shippers have spurs into their groves to take freight in carload lots. It would be a convenience to the people of Rockledge to have an agent at that point, but their request is one, which while it might appeal to the liberality of the railroad, cannot be granted by this Commission. The Commission has no right nor authority to be liberal with the property of the railroads; they can only be just, and in doing justice, must take into consideration not only the convenience of the people in any given locality, but the rights of the railroad whose interests might be affected by any decision which the Commission should make.

If a railroad voluntarily establish an agency within a mile and a half of another, it does not commit itself to that policy, but if the Railroad Commission establish such a precedent and lays it down as a rule of right that stations must be established so near together whenever it can be shown that the freight that would be paid at such a station will more than pay the cost of its operation, it would become the policy of the Commission, and we would have to require agencies to be established at all points a mile and a half or two apart, whenever the people of any locality show conditions similar to those at Rockledge, and request that it be done. Should

such policy be adopted by the Commission, it would mean not only a great increase in the expenses of operating the railroad, which they would have a right to make up by increased freight rates, but it would mean a much slower freight schedule and consequent inconvenience and loss to shippers all along the line, and increased danger of bringing two trains together. The Commission does not feel justified in adopting a policy which would produce these results, however much they would like to accommodate the people of Rockledge. The petition is therefore dismissed.

By order of the Railroad Commission of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 6th day of February, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: ROYAL C. DUNN, Secretary.

ORDER NO. 3.

RAILROAD COMMISSION STATE OF FLORIDA,

IN THE MATTER OF DEPOT FACILITIES AT
COCOA.

The Railroad Commission having visited Rockledge and Cocoa with a view of ascertaining the conditions of handling freight at those points, considers that the facilities at Cocoa are inadequate to the needs of the people using that station, and the Florida East Coast Railway Company is hereby directed to provide a larger freight station and more platform space for the use of the patrons of the road at Cocoa without unnecessary delay.

By order of the Railroad Commission of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 6th day of February, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: ROYAL C. DUNN, Secretary.

ORDER NO. 4.

RAILROAD COMMISSION, STATE OF FLORIDA,
IN THE MATTER OF DEPOT FACILITIES AT PORT
TAMPA.

Upon due investigation and personal inspection of the condition of the depot facilities at Port Tampa by the Railroad Commission, it having been shown that these facilities were and are inadequate,

IT IS HEREBY ORDERED, That the Atlantic Coast Line Railroad Company construct, without unnecessary delay, at some point convenient to passengers taking trains and boat, a waiting room of the dimensions of not less than 400 square feet, with ladies' toilet attached, for white patrons.

By order of the Railroad Commission, of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 6th day of February, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: ROYAL C. DUNN, Secretary.

ORDER NO. 5.

RAILROAD COMMISSION, STATE OF FLORIDA,
CHARGES AGAINST THE SEABOARD AIR LINE
RAILWAY COMPANY FOR VIOLATION OF THE
PROVISIONS OF CHAPTER 4700 OF THE LAWS
OF FLORIDA, AND OF A RULE PROVIDED AND
PRESCRIBED IN AND BY CLASSIFICATION NO. 1
OF THE RAILROAD COMMISSION OF FLORIDA.
OVERCHARGE ON CARLOAD OF BEER SHIPPED
TO ALEX JACOBS FROM JACKSONVILLE TO TAL-
LAHASSEE, DECEMBER 10, 1902.

This matter coming on to be heard by the Commission, and the Seaboard Air Line Railway Company having shown to our satisfaction that the charge on the ice was made through a

misunderstanding of the agent of his instructions, and payment of the overcharge having been made by said Seaboard Air Line Railway Company to the party wronged, and instructions given to the agent to comply with the requirements of the Commission's rules and Regulations,

IT IS HEREBY ORDERED, That the charges against the said Seaboard Air Line Railway Company be, and the same are hereby dismissed.

By order of the Railroad Commission of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 27th day of February, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: ROYAL C. DUNN, Secretary.

ORDER NO. 6.

RAILROAD COMMISSION, STATE OF FLORIDA,

CHARGES AGAINST THE SEABOARD AIR LINE RAILWAY COMPANY FOR VIOLATION OF AMENDED RULE NO. 3 OF THE RAILROAD COMMISSION OF FLORIDA. FAILURE TO FURNISH CARS FOR SHIPMENT OF BRICK FROM DURR'S SIDING.

This matter coming on to be heard on the charges and answer of the Seaboard Air Line Railway Company, and the testimony presented, and the Commission being satisfied that the said Seaboard Air Line Railway Company did not furnish cars for shipment of brick from Durr's Siding within a reasonable time after the same had been offered for transportation by H. D. Durr, as required by said amended Rule No. 3 of the Railroad Commission of Florida, the said Seaboard Air Line Railway Company are found to be guilty of violation of said amended Rule No. 3 of the Railroad Commission

of Florida, and have thereby incurred a penalty for such violation.

IT IS THEREFORE ORDERED, That a fine of two hundred (\$200.00) dollars be, and the same is hereby imposed upon said Seaboard Air Line Railway Company for such violation.

By order of the Railroad Commission of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 27th day of February, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: ROYAL C. DUNN, Secretary.

ORDER NO. 7.

RAILROAD COMMISSION, STATE OF FLORIDA,
ADOPTION OF STANDARD PASSENGER RATE FOR
ATLANTIC COAST LINE RAILROAD COMPANY.

Due notice of proposed adoption of a three cent per mile rate for passenger fares for the Atlantic Coast Line Railroad Company in Florida, having been given to said railroad, and the Commission having heard the answer of said Atlantic Coast Line Railroad Company, and the evidence and arguments offered in its behalf, and having duly considered the same.

IT IS HEREBY ORDERED, That the full rate for passengers in the State of Florida on the Atlantic Coast Line Railroad shall not exceed three cents per mile, and the half rate shall not exceed one and a half cents per mile for each passengers transported; and on the following named branch lines of said Atlantic Coast Line Railroad Company, the full rate shall not exceed three and a half cents per mile, the half rate shall not exceed one and three quarter cents per mile, for each passenger transported, to-wit:

St. Johns and Lake Eustis.
Sanford and St. Petersburg.
Tampa and Thonotosassa.
St. Cloud Sugar Belt.
Florida Midland.
Homosassa Branch.
Winston and Bone Valley.
Sanford and Lake Eustis.
Oviedo Branch.

IT IS FURTHER ORDERED, That this rate shall be effective on said Atlantic Coast Line Railroad and branches on or before the first day of May, A. D. 1903.

By order of the Railroad Commission of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 25th day of February, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: ROYAL C. DUNN, Secretary.

ORDER NO. 8.

RAILROAD COMMISSION, STATE OF FLORIDA,

ADOPTION OF STANDARD PASSENGER RATE FOR
THE LOUISVILLE AND NASHVILLE RAILROAD
COMPANY.

Due notice of proposed adoption of a three cent per mile rate for passenger fares for the Louisville and Nashville Railroad Company in Florida, having been given to said railroad, and the Commission having heard the answer of said Louisville and Nashville Railroad Company, and the evidence and arguments offered in its behalf, and having duly considered the same,

IT IS HEREBY ORDERED, That the full rate for the transportation of passengers in the State of Florida on the

Louisville and Nashville Railroad, shall not exceed three cents per mile, and the half rate shall not exceed one and a half cents per mile for each passenger transported.

IT IS FURTHER ORDERED, That this rate shall be effective on said Louisville and Nashville Railroad on or before the first day of July, A. D. 1903.

By order of the Railroad Commission of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 25th day of February, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: ROYAL C. DUNN, Secretary.

ORDER NO. 9.

RAILROAD COMMISSION, STATE OF FLORIDA,

IN THE MATTER OF FREIGHT RATES FOR THE
PENSACOLA AND ATLANTIC DIVISION OF THE
LOUISVILLE AND NASHVILLE RAILROAD.

This matter coming on to be heard, after due notice to the said Pensacola and Atlantic Division of the Louisville and Nashville Railroad Company, the Commission having heard the facts submitted by said railroad, and the arguments of its representatives, and the Commission being satisfied that the present condition of the freight business of said P. & A. Div. of the L. & N. R. R. Co. does not justify the ordering into operation the proposed Standard Freight Tariff by that company, but that the rates which it is operating needed certain changes in its classification,

IT IS HEREBY ORDERED, That the following schedule of freight tariffs shall be allowed and adopted by the Railroad Commission of the State of Florida, for the Pensacola and Atlantic Division of the Louisville and Nashville

Railroad Company, and the same shall be put into operation and be effective on the 1st day of April, 1903.

By order of the Railroad Commission of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 25th day of February, A. D. 1903.

See pages 68-69.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: ROYAL C. DUNN, Secretary.

APPENDIX B.

Rules and Regulations.

Rules and Regulations.

RAILROAD COMMISSION, STATE OF FLORIDA,
TALLAHASSEE, FLA., February 1, 1903.

The following Rules and Regulations are prescribed for the government of the transportation of persons and property by the railroad companies and common carriers doing business wholly or in part within the State of Florida, all others conflicting therewith being hereby repealed.

JEFFERSON B. BROWNE, *Chairman,*

JNO. L. MORGAN,

R. HUDSON BURR,

Commissioners.

ROYAL C. DUNN, Secretary.

COMPLAINTS.

1. All complaints made to the Commission shall be in writing, and shall distinctly set forth the grounds of complaint. In like manner all defenses shall be in writing, and distinctly set forth the grounds of defense.

MONTHLY AND ANNUAL REPORTS.

2. Each railroad company shall make and file in the office of the Commission by the last day of each month a report of its earnings and operating expenses for the preceding month, according to the form prescribed by the Commission. Also, by the last day of each month shall make monthly report to the Commissioners of the number of miles or fractions thereof of main line, branches, spurs and side track constructed during the month previous to the making of the report; shall report the construction of depots or other buildings, giving the di-

mensions of such depots or other buildings; shall report all agreements entered into with other railroad companies for the construction of joint terminal facilities or union depots, or terms of agreement for participation in terminals or depot facilities of other companies. Also, on or before the first day of September of each year an annual report of its earnings, operating expenses and general operations for the preceding year, ending June 30, in accordance with section 10, Railroad Commission Law, approved June 3, 1899. Also, on such forms as the Railroad Commissioners shall prescribe, shall make annual report of the organization, capitalization, traffic earnings, etc., as the same existed on the 30th day of June immediately preceding the making of this report, as required under section 20 of the Railroad Commission Law, approved June 3, 1899. The monthly reports to be verified by the affidavits of the General Manager (if there be one or Superintendent or other principal officer in charge, and the Treasurer or Auditor; the annual reports to be verified by the affidavits of the President, Superintendent or General Manager, and Auditor or Treasurer.

SECRET REDUCTIONS, REBATES, ETC.

3. There shall be no secret reduction of rates of freight or passenger fares, and no rebate, drawback or other advantage in any form shall be given or paid, either directly or indirectly, upon shipments made or service rendered to any person not allowed to all persons under like circumstances and conditions, but the same shall be uniform to all, and public.

POSTING SCHEDULES, ETC.

4. Each railroad company shall post in a conspicuous place, and keep the same continuously posted, at each of its stations where there are agents, a copy of the schedule of freight and passenger rates revised and adopted for the use of such company by the Commission; a copy of all the rules and regula-

tions prescribed by the Commission for the government of the transportation of freight and passengers applicable on its lines of road, and a copy of the official classification; also copies of all changes made, whether the same shall be made by such railroad company or by the Commissioners; also a table of distances between each station; and when any change in said schedule of rates or classification is made, either by the Commission or any railroad company, a copy of said change shall be immediately furnished the office of the Commissioners and shall be posted in the same manner as above.

RATES APPLY BOTH DIRECTIONS.

5. The rates prescribed by the Commission shall (except in cases specified) apply in either direction.

BASIS OF COMPUTING RATES.

6. In computing rates for the transportation of property and passengers, the mileage of the shortest available practicable route shall be used. No railroad doing business in the State shall charge more for the transportation of property or passengers between any intra-State points than the lowest rates between such points thus computed.

INCREASED RATES.

7. In no case shall any railroad or common carrier doing business wholly or in part within the State of Florida advance or increase any special rate or other rates authorized or prescribed by the Railroad Commission, without first submitting the proposed increased rate or rates to the Railroad Commissioners and receiving their approval.

BOOKS AND PAPERS TO BE FURNISHED.

8. Each railroad company or common carrier doing business in the State of Florida shall furnish to the Railroad Com-

mission on demand any books or papers in the possession of said railroad company or common carrier, and a written transcript or copy of any paper in the possession of said railroad company or common carrier which may appear to the Commission as necessary to aid them in the discharge of their duty.

TRAFFIC ARRANGEMENTS, ETC., BETWEEN RAILROADS.

9. Copies of all rate sheets, tariffs and circular orders issued, and all contracts and agreements between railroad companies as to the rates of freight and passenger tariffs, and all arrangements and agreements whatever as to the division of earnings of any kind by competing or connecting lines of railroads doing business in this State, shall be submitted to the Commission for inspection, revision and approval.

RIGHT TO MODIFY OR SUSPEND RULES.

10. The Commissioners reserve the right to suspend or modify the enforcement of any of their rules, regulations, rates, etc., at discretion when, in their opinion, the conditions are such that a strict enforcement of the same would work hardship or injustice.

BAGGAGE.

1. Each passenger shall be entitled to free transportation of baggage not exceeding 150 pounds in weight.

LESS THAN MAXIMUM RATES MAY BE CHARGED.

2. Railroads will not be prohibited from charging less than the rates prescribed for the transportation of passengers, provided such charge is not an unjust discrimination in favor of or against persons or localities.

MINIMUM FARE.

3. Ten (10) cents as a minimum fare may be collected where the regular fare would be less than that sum.

COMPUTATION OF FRACTIONS.

4. Where the fare for any distance does not end in 0 or 5, sums ending in $2\frac{1}{2}$ or over may be counted as 5, and sums less than $2\frac{1}{2}$ as 0. For example: For $42\frac{1}{2}$ cents collect 45 cents, and for 42 cents collect 40 cents. Nothing in this rule shall prevent any railroad company from giving the exact change in cents.

FREE OF REDUCED RATES, EXCURSIONS, ETC.

5. A railroad company shall not be prevented from the free carriage of destitute, or homeless persons transported by charitable societies and the necessary agents employed in such transportation, or from the issuance of mileage, excursion, commutation or round trip passenger tickets; or from giving free carriage to its own officers and employees; or to prevent the principal officers of any railroad company or companies from exchanging passes or tickets with other railroad companies for their officers and employees; or free carriage or reduced rates to persons in charge of live stock shipped from the points of shipment to destination and return; or from issuing second-class tickets, for the holders of which second-class tickets so issued second-class accommodation shall be furnished.

POSTING ARRIVAL OF DELAYED TRAINS.

6. When any passenger train on any railroad in this State shall be more than one hour behind the scheduled time, it shall be the duty of the said railroad company to bulletin and keep posted at every telegraph station along its line in the direction in which said train is going the time such train is

behind the schedule time and the time of its arrival as nearly as can be approximated, but passengers acting upon this information will do so at their own risk.

CONNECTING RAILROADS UNDER THE SAME MANAGEMENT.

1. All connecting railroads which are under the management or control, by lease, ownership or otherwise, of one and the same company, and all connecting roads, the majority of whose stock is owned or controlled, either directly or indirectly, by one of the connecting lines, shall, for the purpose of transportation, in applying their schedules of freight rates, be considered as constituting but one and the same road, and the rates shall be computed as upon parts of one and the same road, unless otherwise specified. The fact that each of said roads has a separate board of directors shall not prevent the application of this rule. Whenever any railroad company owns and operates in connection with its road, and for the purpose of transporting its cars, freight or passengers, any steam or other water craft, such steamer or water craft shall be deemed a part of its said road.

MAXIMUM RATES MAY BE REDUCED.

2. The schedule of rates allowed and adopted by the Railroad Commissioners for each road are maximum rates, which shall not be transcended. They may, however, carry at less than the rates allowed and adopted, provided that if they carry for less for one person they shall for the like service, under similar circumstances and conditions, carry for the same lessened rates for all persons except as mentioned hereafter; and if they adopt less freight rates for one station, they shall make a reduction of the same per cent. at all stations along the line of road, so as to make no unjust discrimination as against any person or locality. But when at any point within this State

there are competing lines of transportation, any railroad company injuriously affected thereby may, at such competing point, make rates below those allowed or adopted, to meet such competition, without making a corresponding reduction along the line of road.

The Commissioners may entertain application for temporary modification of so much of this rule as requires the general reduction of rates to all stations when made to any station, when in their judgment a local and temporary cause may justify such modification, as, for instance, epidemic, floods, drouths, storms, or other exigencies.

RAILROADS MUST ACT AS COMMON CARRIERS.

3. No railroad company shall decline or refuse to act as a common carrier to transport any article proper for transportation and a failure to transport such article within a reasonable time after the same has been offered for transportation shall be deemed a violation of this rule.

COMPUTATION OF PERCENTAGES.

4. In the computation of percentages, if, after the percentage prescribed shall have been added or subtracted, as the case may be, there should be a fraction any fraction of a cent less than one-half cent shall be discarded, and any of one-half cent or over may be counted as one cent.

RATES ON SMALL SHIPMENTS.

5. The minimum charge on a single shipment of one class from one consignor to one consignee shall be computed at the actual weight, at the class or commodity rate to which it belongs, provided the charge shall not be less than twenty-five cents.

If the shipment contains articles in different classes and in separate packages, the charge shall be computed at the actual

weight of each package, at the class or commodity rate to which it belongs, provided the aggregate charge on the shipment shall be not less than twenty-five cents.

If a package contains articles in two or more classes, the charge shall be computed at the actual weight of the package, at the highest class or commodity rate to which any of the articles belong, provided the charge shall not be less than twenty-five cents.

FREE OR REDUCED RATES.

6. Railroad companies shall not be prevented from the carriage, storage or handling of property, free or at reduced rates, for charitable purposes, or to or from fairs and expositions for exhibition thereat.

FREIGHTS EXEMPT FROM RULE 2.

7. The rates specified or hereafter to be allowed for ores, sand, clay, rough stones, common brick, bone, lumber, shingles, laths, staves, empty barrels, wood, straw, shucks, hay, fodder, corn in the ear, tan bark, turpentine, rosin, tar, sawdust, household goods, moss, palmetto leaves and heads, melons by the carload, are maximum rates; but the railroads are left free to reduce the same at discretion; and all such rates are exempt from the operation of Rule 2; provided, that all such rates made by any railroad under this rule shall be submitted to the Commission and approved by them. No rates have been prescribed for articles in the classification designated by the letter "S." Such articles are subject to special contract. The Commission will entertain complaints of excessive charges for transportation of such articles in all cases except where the price charged was according to contract between shipper and carrier.

SHIPPERS TO LOAD AND UNLOAD.

8. Consignors and consignees will be required to load and unload bulk freight in carloads unless otherwise provided by special agreement.

CHARGES FOR HANDLING HEAVY FREIGHT.

9. The charge for handling extra-heavy freight may be as follows

Under 2,000 pounds, no charge for extra handling.

2,000 pounds and under 3,000, \$3.00 for extra handling.

3,000 pounds and under 4,000, \$5.00 for extra handling.

4,000 pounds and under 5,000, \$7.00 for extra handling.

5,000 pounds and under 6,000, \$8.00 for extra handling.

6,000 pounds and under 7,000, \$10.00 for extra handling.

Over 7,000 pounds, subject to special contract.

CARLOADS, WEIGHT OF A CARLOAD, CARLOAD CONSIGNMENTS, ETC.

10. In all cases in which the classification provides a rate per 100 pounds, per ton, or per barrel, giving to carload shipments lower rates than apply to less-than-carload shipments, the standard minimum weight of a carload shall be 24,000 pounds, unless otherwise specified. Where the actual weight loaded in a car is in excess of the minimum weight, such excess may be charged for in proportion to carload rates; provided that in no case shall the amount collected on less than a carload exceed the price per carload.

Carload rates apply to the carload and more made by one shipper at one time to one and the same point of delivery to the same consignee, although the same may in fact be carried by the railroad to the point of delivery in lots less than the amount recognized as a carload.

FERTILIZER—ARTICLES EMBRACED IN.

11. The term "fertilizers" embraces the following and like articles, when intended to be used as fertilizers, to-wit: Sulphate of ammonia, ashes, bone black, ground and dissolved bone, bone dust, castor pomace, cotton-seed meal, cotton-seed

ashes, cotton seed, fish scrap, guano, superphosphates, gypsum, kainit, german salts, nitre cake, nitrate and sulphate of soda, oil cake potash, fine-ground plaster, salt cake, saltpeter, sulphur, muck, tank stuffs, and tobacco dust and sweepings, and

L. C. L. SHIPMENTS.

12. In no case shall the amount collected on L. C. L. shipments exceed the charges per carload for the same class of goods; nor shall the charge for a car fully loaded exceed the charge for the same property if taken as a less-than-carload shipment.

ESTIMATED WEIGHTS.

13. All articles will be charged at GROSS WEIGHT without regard to weight given by shippers and inserted in bills of lading; except that when an article is classified to be accepted at at estimated weight, such estimated weight will apply. When the actual weights of the articles named below *cannot be ascertained at point of shipment, or at destination, or in transit*, the following estimated weights shall govern:

like articles when intended to be used as fertilizers.

| ARTICLE. | WEIGHT. |
|--|---------------|
| Cement, Portland, per barrel | 400 pounds. |
| Cement, except Portland, per barrel | 300 pounds. |
| Clay, per cubic yard | 3,000 pounds. |
| Coal, per bushel | 80 pounds. |
| Coke, per bushel | 40 pounds. |
| Gravel, per cubic yard | 3,200 pounds. |
| Laths, green, per 1,000 | 530 pounds. |
| Laths, seasoned, per 1,000 | 450 pounds. |
| Lime (Rockland), per barrel | 230 pounds. |
| Lime, per bushel | 80 pounds. |
| Lumber, Ash or Black Walnut, green, per 1,000 feet | 4,500 pounds. |

| | |
|---|----------------|
| Lumber, Ash or Black Walnut, seasoned, per | |
| 1,000 feet | 4,000 pounds. |
| Lumber, Elm, Hickory or Oak, green, per 1,000 | |
| feet | 6,000 pounds. |
| Lumber, Elm, Hickory or Oak, seasoned, per | |
| 1,000 feet | 4,500 pounds. |
| Lumber, White Pine or Poplar, green, per 1,000 | |
| feet | 4,000 pounds. |
| Lumber, White Pine or Poplar, seasoned, per | |
| 1,000 feet | 3,000 pounds. |
| Lumber, Yellow Pine, green, per 1,000 feet... | 4,500 pounds. |
| Lumber, Yellow Pine, seasoned, per 1,000 feet. | 4,000 pounds. |
| Lumber, Yellow Pine Boards two inches and | |
| less, kiln dried and dressed, per 1,000 feet.. | 3,000 pounds. |
| Lumber, N. O. S., green, per 1,000 feet..... | 6,000 pounds. |
| Lumber, N. O. S., seasoned, per 1,000 feet ... | 4,000 pounds. |
| Sand, per cubic yard | 3,000 pounds. |
| Shingles, green, per 1,000 | 450 pounds. |
| Shingles, seasoned, per 1,000 | 350 pounds. |
| Staves, Headings or Hoop-poles, green, car | |
| loaded to depth of forty-three inches, per | |
| car | 30,000 pounds. |
| Staves, Headings or Hoop-poles, seasoned, car | |
| loaded to depth of fifty inches, per car | 30,000 pounds. |
| Stone, not dressed, per cubic foot | 160 pounds. |
| Tan Bark, green, per cord | 2,600 pounds. |
| Tan Bark, seasoned, per cord | 2,000 pounds. |
| Telegraph Poles, Fence Post or Rails, per cord. | 3,500 pounds. |
| Turpentine, in barrels, per barrel | 420 pounds. |
| Wood, green, per cord | 3,500 pounds. |
| Wood, seasoned, per cord | 3,000 pounds. |

ARTICLES TOO LONG OR BULKY TO BE LOADED IN BOX CARS.

14. Unless otherwise specified, articles too long or too bulky to be loaded in box cars, but not requiring two or more open

cars, shall be charged at actual weight; provided, that in no case shall the charge on a single consignment be less than 4,000 pounds at the first-class rate.

CHARGE FOR SWITCHING OR TRANSFERRING CARS WHEN PASSING OVER TWO OR MORE ROADS.

15. A charge of no more than two dollars per car will be allowed for switching or transferring a car from any point on any road or warehouse within a space of one mile from starting point, without regard to weight or contents.

When in the transfer of a car between said points it is necessary to pass over the line of any intermediate road or roads, the maximum charge of two dollars shall be equitably divided between the roads at interest.

When a charge is made for the transfer of loaded cars between said points no additional charge shall be made for the return of the empty cars.

DELIVERY OF CARS TO CONNECTING ROADS.

16. The Commission will prescribe particular rules and conditions for the delivery without delay to any connecting road of the same gauge all cars consigned to points beyond such connecting roads, so as to promote speedy transportation and prevent unjust discrimination. Due regard will be had in each instance to the attainment of such purposes.

RIGHTS OF SHIPPER TO ROUTE FREIGHTS.

17. The right of a shipper to direct by what line or lines of railroad in this State his shipments shall be transported within the State of Florida shall be observed by all the railroads in this State.

COMMODITY RATES TO GOVERN.

18. Commodity rates authorized by the Commission shall invariably govern, whether higher or lower than class rates.

JOINT RATES SHALL BE SUM OF LOCALS.

19. On all shipments of freight not governed by Rule No. 1, originating and terminating in this State, which shall pass over the whole of two or more roads not under the same control, the maximum rates charged on such shipments shall not be greater than the sum of the local rates on such freights for the distance hauled over each road. The total rate thus ascertained on such freights from the point of shipment to the point of destination shall be divided in such proportions between the roads over which such freights pass so as to give to each road interested in the shipment its local rate for the distance such shipment is hauled, conditioned upon the initial line delivering the traffic to the delivering road at its nearest junctional point. Nothing in this rule shall be construed to prevent the total of any joint rate made under this rule from being divided in such proportions between the roads interested in the same as they may agree upon, but a failure to so agree between the roads interested shall in no way affect the total joint rate to be charged and collected on, or work delay in the transportation of such freight, or be subject of appeal to the Commission by the roads at interest; provided, however, that no railroad company shall discriminate between any other two or more railroad companies when the conditions and circumstances are practically the same.

SETTLEMENT OF CLAIMS FOR OVERCHARGES.

20. All overcharges on freight by any railroad or common carrier doing business in the State of Florida shall be settled within thirty (30) days after demand upon the agent at the delivering depot (and surrender of shipping receipt) by consignee or person paying the freight.

Whenever an overcharge on freight has been made on a shipment over two or more railroads or common carriers, it shall be settled by the delivering road or carrier. If the overcharge is made on a shipment to a flag station, then the demand to be

made on the agent at the regular station to which the same was billed.

This rule will apply to claims made through the Railroad Commission, except that demand for settlement will be made upon the Traffic Manager or General Freight Agent of the company.

FREIGHT RECEIPTS.

21. All railroad companies doing business in this State shall upon demand issue duplicate freight receipts to all shippers of freight, in which shall be stated the class or classes of freight shipped, freight charges over the railroad issuing such receipt, and, as far as practicable, shall state the charges upon the same over the connecting roads transporting such freight; and in all cases the railroad receiving such freight shipped shall be held in all the courts of this State as responsible for the prompt and safe delivery of same to its point of destination within a reasonable time required for its transportation, which reasonable length of time shall be determined after due investigation by said Railroad Commissioners. When the consignee of such freight presents the railroad receipt to the agent of the railroad last transporting said freight, such agent shall deliver the articles shipped upon the payment of the rates charged for the class of freight as stipulated in said railroad receipt.

DELIVERY OF FREIGHTS.

22. Railroad companies shall deliver to each consignee of freight the article or articles mentioned in the receipt (or bill of lading) on the payment of the lawful rate for the class or classes of freight transported, and the consignee shall not be compelled to pay for any article or articles not received by him. Where a part of the articles mentioned in the receipt shall reach the point of destination, it shall be the duty of the railroad company at such point to deliver the same upon the payment by the consignee of the freight charges on said article or

articles notwithstanding the remainder of the articles mentioned in the receipt may have been delayed or lost.

ESTIMATED WEIGHTS.

1. The weights given below are estimated weights and not actual, and are simply used to get the rating on live stock. (To illustrate: One horse, mule or horned animal is estimated at the same rate as 2,000 pounds of any kind of first class freight at carrier's risk and second class at owner's risk):

Live stock less than carloads will be taken at the following estimated weights:

| | |
|--|------------|
| One horse, mule or horned animal, except as specified below | 2,000 lbs. |
| Two horses, mules or horned animals, except as specified below, in the same car and from the same shipper to the same consignee..... | 3,500 lbs. |
| Each additional horse, mule or horned animal except as specified below, in the same car and from the same shipper to the same consignee. | 1,000 lbs. |
| Stallions, jacks and bulls, each | 3,000 lbs. |
| Each mare and foal together | 2,500 lbs. |
| Shetland ponies, any age, not crated | 1,000 lbs. |
| Yearling cattle, except Bulls, not crated, each.. | 1,000 lbs. |
| Colts under one year old, except Stallions, not crated | 1,000 lbs. |
| Calves under one year old, not crated | 1,000 lbs. |
| Calves under one year old, crated, each, actual weight, but not less than | 100 lbs. |
| Sheep crated, each actual weight, but not less than .. | 100 lbs. |
| Lambs crated, each actual weight, but not less than .. | 100 lbs. |
| Hogs, crated, each actual weight, but not less than | 100 lbs. |

Figs, crated, each actual weight, but not less than 100 lbs.
 Sheep, Lambs, Hogs and Pigs, L. C. L., will not be received
 unless crated.

Goats, same as Sheep.

Kids, same as Lambs.

Cows, Calves, Colts, Ponies, Hogs, Sheep, Lambs
 and other animals, crated, actual weight, but
 not less than 100 lbs.

In no case shall the charge for less than a carload of live
 stock exceed the charge for a carload.

Maximum valuation of Live Stock Shipments:

| | EACH. |
|--|----------|
| Horses and mules, not over | \$ 75.00 |
| Horned cattle, not over | 30.00 |
| Stallions, jacks and bulls, not over | 150.00 |
| Lambs, calves, hogs or sheep, not over | 5.00 |
| Mare and colt, together, not over | 100.00 |
| Cow and calf, together, not over | 35.00 |

For every increase of one hundred per cent or fraction
 thereof in valuation there shall be an increase of fifty per
 cent in rates.

MIXED SHIPMENT.

Mixed shipments of cattle, hogs, lambs, etc., may be taken
 in carloads at carload rates prescribed for the transportation
 of cattle, but carrier will be released from any damage to
 animals, whether caused by their own actions, or to each
 other—suffocation, exhaustion from heat and cold, and (if
 not haltered) from escape.

Shippers will be required to feed, water and care for stock
 at their own expense. When food is furnished by carrier a
 charge will be made for the same and collected from consignee.

One two or three cars of live stock will entitle the owner
 or his agent to be carried free to point of destination of con-
 signment, on the train with the stock, to care for the same.

APPENDIX C.

Demurrage Rules.

Demurrage Rules.

The railroads doing business wholly or in part within the State of Florida are hereby authorized to operate the following Demurrage Rules:

RULE I.

FREIGHT SUBJECT TO CAR SERVICE CHARGES.

All freight in cars, whether full carload or not, shipped to one consignee, and taking track delivery, will be subject to car service regulations.

RULE II.

NOTICE TO CONSIGNEES.

Railroad companies shall give prompt notice by mail or otherwise to consignees of the arrival of goods, together with the weight and amount of freight charges due thereon as shown by way bills, and when goods or freight of any kind in car load quantities arrive, said notice must contain letters or initials of car, number of the car, net weight and the amount of freight charges due on same. Storage and demurrage charges may be assessed if goods are not removed in conformity with the following rules and regulations. No storage or demurrage charges, however, shall, in any case, be allowed unless legal notice of the arrival of goods has been given to the owner or consignee thereof by the railroad company.

RULE III.

LEGAL NOTICE.

Legal notice referred to in these rules may either actual or constructive. Where the consignee is personally served with notice of the arrival of freight, free time ends seventy-two (72) hours from the time of notification, not including Sundays, or legal holidays. Constructive notice referred to consists of *posting notice by mail to consignee*. Where this mode of giving notice is adopted, there shall be twenty-four (24) hours additional free time to be added to the seventy-two (72) hours, to be computed from the time notice was mailed; provided, however, that if, in any case, when notice of arrival is given by mail, the consignee will make oath that neither he, his agents or employees have received such notice, then no demurrage charges shall be made until after legal notice, as above specified is given.

RULE IV.

PER DIEM CHARGE.

A charge of one dollar (\$1.00) per car per day shall be made for detention of cars and use of tracks when cars are not loaded or unloaded within seventy-two (72) hours, not including Sundays and legal holidays, except when loaded with seed cotton, cotton seed in bulk, cotton seed hulls in bulk, fertilizer material in bulk, coal, bulk potatoes, bulk cabbage, brick, and dressed lumber (in box cars), ninety-six (96) hours will be allowed for *unloading*. It being understood that said car or cars are to be placed and remain accessible to the consignee for the purpose of unloading during the period in which held free of demurrage; that when the period of such demurrage charges commence, they are to be placed accessible to the consignee for unloading purposes on demand of the consignee; provided, however, that if the railroad com-

pany shall remove such car or cars after being so placed, or in any way obstruct unloading of same, the consignee shall not be chargeable with delay caused thereby; provided, further, that when any consignee shall receive four or more cars during any one day taking track delivery, the said cars in excess of three shall not be liable to demurrage by any railroad company until after the expiration of ninety-six (96) hours.

Any fraction of a day shall be considered a day.

RULE V.

GOODS CONSIGNED TO ORDER OF SHIPPER.

When consignors ship goods consigned to themselves, it shall be the duty of the railroad companies to give legal notice to such consignees, or persons to whom shipping directions order delivery. This notice may be addressed by mail to the consignee at point of delivery, and demurrage will begin as in other cases of notice by mail; and the mailing of such notice shall be sufficient legal notice in such cases, whether the consignee actually receives the same or not.

RULE VI.

REFUSAL TO ACCEPT SHIPMENTS.

Where the consignee shall refuse to accept freight tendered in pursuance of the bill of lading, the carrier charged with the duty of delivery may give to the consignor legal notice of such refusal; and if he shall not, within three days thereafter, give direction for the reshipment or unloading of such goods, he shall thenceforth become liable to such carrier for demurrage upon the car or cars in which they are stored to the same extent and at the same rate as such charges are now under like circumstances by the rules of this Commission, imposed upon consignees who neglect or refuse, after notice of arrival to remove freight of like character from the cars of a carrier.

A consignee who has once refused to accept a consignment of goods shall not thereafter be entitled to receive the same, except upon payment of all charges for demurrage which would otherwise have accrued.

RULE VII.

CARS FOR DELIVERY ON TEAM TRACKS OR PRIVATE SIDINGS.

Sec. 1. Cars containing freight to be delivered upon carload delivery tracks or private sidings are to be delivered upon the tracks designated by consignee upon arrival, or as soon thereafter as the ordinary routine of yard work will permit.

Sec. 2. Cars containing property, the billing of which does not specify any particular delivery, and for which no standing or special order has been filed with carrier's agent, within twenty-four (24) hours, will be considered as requiring general track delivery and shall be so placed after twenty-four hours.

Sec. 3. Cars for unloading shall be considered placed when such cars are held in receiving yards awaiting orders from shippers or consignors, or when held for payment of freight charges, provided the railroad company could otherwise have placed such cars on delivery tracks accessible to the consignee for the purpose of unloading, except that it was consigned to private sidings already fully occupied and delivery therefore impracticable, detention is to be computed from time of notification.

RULE VIII.

CARS HELD FOR SHIPPING DIRECTIONS.

Cars detained or held for want of proper shipping instructions or by reason of improper or excessive loading (where loading is done by shipper) shall be subject to a demurrage charge of one dollar (\$1.00) per car for each day or fraction

of a day said car or cars are so detained or held. Likewise, when cars are promptly loaded and shipping instructions given, the railroad agent must immediately issue the bills of lading therefor; and if said car or cars are detained or held, and not carried forward within forty-eight (48) hours, except perishable articles, which shall be moved within twenty-four (24) hours thereafter, said railroad company shall be liable to said shipper for the payment of one (\$1.00) dollar per car for each day or fraction of a day that said car or cars are thus detained or held.

RULE IX.

CONSIGNMENTS MORE THAN FOUR MILES DISTANCE.

A consignee living more than four miles from the depot, and whose freight is destined to his residence or place of business so located, shall not be subject to storage or demurrage charges allowed in the above rules until a sufficient time has elapsed after notice for said consignee to remove said goods by the exercise of *ordinary diligence*.

RULE X.

RAILROADS ALLOWED TO STORE PROPERTY.

Railroad companies are authorized to store such property in public warehouses at the expense of owner, if same is not removed before demurrage charges attach.

RULE XI.

PER DIEM CHARGE ALLOWED CONSIGNEES.

When any railroad company fails to deliver freight at the depot or to place loaded cars at an accessible place for unloading within seventy-two (72) hours (not including Sundays or le-

gal holidays), computed from 10 o'clock a. m., the day after arrival of the same, the shipper or consignee shall be paid one dollar (\$1.00) per day for each day said delivery is so delayed.

RULE XII.

STORMY WEATHER.

Whenever the weather during the period of free time is so severe, inclement or rainy, that it is impracticable to secure means of removal, or where, from the nature of the goods, removal would cause injury or damage, such time shall be added to the free period; and no demurrage charges shall be allowed for such additional time.

This rule applies to the state of the weather during business hours.

RULE XIII.

DISCRIMINATIONS AND EXAMINATIONS.

Railroads shall not discriminate between persons or places in storage or demurrage charges. If a railroad company collects storage or demurrage of one person, under the demurrage rules, it must collect of all who are liable. No rebate, drawback or other similar device will be allowed. If demurrage is collected by a railroad company at one point on its line, it must collect at all places on its line of those liable under the rules of the Commission.

Provided, That all package freight unloaded in depot or warehouse, which is not removed by the owners thereof from the custody of the railroad company within seventy-two (72) hours (not including Sundays or legal holidays) after legal notice of arrival of arrival, may be subject thereafter to a charge of storage for each day or fraction of a day that it remain in the custody of the railroad company, as follows:

In less than carload quantities, not more than one cent per one hundred pounds per day.

In carload quantities, not more than one dollar (\$1.00) per car per day.

Provided, further, That in no case shall the amount collected for storage of a less than carload shipment exceed the amount authorized to be charged as storage or demurrage on a carload of similar freight for the same length of time when not unloaded from the car as provided by the Demurrage Rules.

Provided further, That the Commission shall hear and grant applications to suspend the operation of this rule whenever justice shall demand this course.

RULE XIV.

OTHER DEMURRAGE CHARGES.

No other charges shall be made by any railroad company doing business wholly or in part in the State of Florida for storage or demurrage except as provided in the foregoing rules, and these rules shall become effective December 23, 1901.

Schedule of Freight Tariffs Revised, Allowed and Adopted by the Railroad Commission of the State of Florida.
FOR PENSACOLA AND ATLANTIC DIVISION, LOUISVILLE AND NASHVILLE RAILROAD.
 Taking Effect April 1, 1903. Tallahassee, Fla., February 25, 1903.

| Between Local Stations | Per Hundred Pounds | | | | | | | | | | | | | | Per Barrel | Per 100 Pounds | Per Ton | Per Carload | | | | | | Per 2,000 Lbs. | Per Car | | | | Oranges Per Box, 80 Lbs. | Veg'bles, Per Crt. 50 Lbs. |
|------------------------------|--------------------|----|----|----|----|----|----|----|----|----|----|----|----|----|------------|----------------|---------|-------------|---|------|-------|---------|---------|----------------|------------------------|-----------------------------------|--|--|--------------------------|----------------------------|
| | | | | | | | | | | | | | | | | | | | | | | | | | Live Stock Except Hogs | Sheep, Dou. Dk., Hogs, Single Dk. | | | | |
| | 1 | 2 | 3 | 4 | 5 | 6 | A | B | C | D | E | H | F | K | L | M | N | O | P | Coal | | | | | | | | | | |
| 10 miles and under | 25 | 22 | 18 | 17 | 16 | 15 | 15 | 15 | 6 | 6 | 15 | 15 | 12 | 15 | 7 | 5 | 5 | 5 | 3 | 5 | 60 | \$10 00 | \$12 00 | 10 | 8 | | | | | |
| 15 " " over 10 miles | 30 | 25 | 21 | 20 | 19 | 18 | 18 | 18 | 7 | 7 | 18 | 18 | 14 | 18 | 9 | 7 | 4 | 7 | 4 | 80 | 14 00 | 17 00 | 10 | 8 | | | | | | |
| 20 " " " 15 " | 32 | 28 | 25 | 23 | 21 | 20 | 20 | 20 | 7 | 7 | 20 | 20 | 14 | 20 | 10 | 7 | 5 | 7 | 5 | 90 | 14 00 | 17 00 | 11 | 8 | | | | | | |
| 25 " " " 20 " | 35 | 30 | 27 | 25 | 23 | 21 | 21 | 21 | 9 | 8 | 21 | 21 | 18 | 21 | 11 | 8 | 5 | 8 | 5 | 1 00 | 17 00 | 20 00 | 11 | 8 | | | | | | |
| 30 " " " 25 " | 37 | 32 | 30 | 27 | 24 | 22 | 22 | 22 | 10 | 8 | 22 | 22 | 20 | 22 | 11 | 8 | 6 | 8 | 6 | 1 05 | 17 00 | 20 00 | 12 | 8 | | | | | | |
| 35 " " " 30 " | 40 | 35 | 32 | 29 | 26 | 23 | 23 | 23 | 11 | 9 | 23 | 23 | 22 | 23 | 12 | 8 | 6 | 8 | 6 | 1 15 | 19 00 | 23 00 | 12 | 9 | | | | | | |
| 40 " " " 35 " | 42 | 37 | 33 | 30 | 27 | 24 | 24 | 24 | 12 | 9 | 24 | 24 | 24 | 24 | 12 | 8 | 6 | 8 | 6 | 1 20 | 19 00 | 23 00 | 12 | 9 | | | | | | |
| 45 " " " 40 " | 43 | 40 | 34 | 31 | 28 | 25 | 25 | 25 | 13 | 10 | 25 | 25 | 26 | 25 | 13 | 8 | 7 | 8 | 7 | 1 25 | 21 00 | 25 00 | 12 | 9 | | | | | | |
| 50 " " " 45 " | 45 | 41 | 35 | 32 | 29 | 26 | 26 | 26 | 14 | 10 | 26 | 26 | 28 | 26 | 14 | 9 | 7 | 9 | 7 | 1 25 | 21 00 | 25 00 | 13 | 9 | | | | | | |
| 55 " " " 50 " | 47 | 42 | 36 | 33 | 30 | 27 | 28 | 27 | 15 | 11 | 27 | 27 | 30 | 27 | 15 | 10 | 7 | 10 | 7 | 1 30 | 23 00 | 28 00 | 13 | 9 | | | | | | |
| 60 " " " 55 " | 48 | 43 | 37 | 34 | 31 | 28 | 28 | 28 | 16 | 11 | 28 | 28 | 32 | 28 | 16 | 12 | 8 | 12 | 8 | 1 35 | 23 00 | 28 00 | 13 | 9 | | | | | | |
| 65 " " " 60 " | 50 | 44 | 40 | 36 | 33 | 30 | 30 | 30 | 17 | 12 | 30 | 30 | 34 | 30 | 17 | 12 | 8 | 12 | 8 | 1 40 | 25 00 | 30 00 | 13 | 10 | | | | | | |

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|-----|---|---|---|-----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|----|------|----|------|----|----|----|
| 70 | " | " | " | 65 | " | 52 | 45 | 41 | 37 | 33 | 30 | 30 | 30 | 17 | 12 | 30 | 30 | 34 | 30 | 17 | 13 | 8 | 13 | 8 | 1 | 45 | \$25 | 00 | \$30 | 00 | 14 | 10 |
| 75 | " | " | " | 70 | " | 55 | 45 | 42 | 38 | 34 | 30 | 30 | 30 | 18 | 13 | 30 | 30 | 36 | 30 | 18 | 13 | 9 | 13 | 9 | 1 | 50 | 27 | 00 | 32 | 00 | 14 | 10 |
| 80 | " | " | " | 75 | " | 57 | 47 | 43 | 39 | 35 | 31 | 31 | 31 | 18 | 14 | 31 | 31 | 36 | 31 | 18 | 14 | 9 | 14 | 9 | 1 | 50 | 27 | 00 | 32 | 00 | 14 | 10 |
| 85 | " | " | " | 80 | " | 58 | 50 | 44 | 40 | 36 | 32 | 32 | 32 | 19 | 15 | 32 | 32 | 38 | 32 | 19 | 14 | 9 | 14 | 9 | 1 | 55 | 29 | 00 | 35 | 00 | 14 | 10 |
| 90 | " | " | " | 85 | " | 60 | 52 | 46 | 41 | 37 | 33 | 33 | 33 | 19 | 15 | 33 | 33 | 38 | 33 | 19 | 15 | 10 | 15 | 10 | 1 | 55 | 29 | 00 | 35 | 00 | 15 | 10 |
| 95 | " | " | " | 90 | " | 62 | 54 | 48 | 44 | 38 | 34 | 34 | 34 | 19 | 15 | 34 | 34 | 38 | 34 | 19 | 15 | 10 | 15 | 10 | 1 | 60 | 31 | 00 | 35 | 00 | 15 | 10 |
| 100 | " | " | " | 95 | " | 64 | 56 | 50 | 45 | 40 | 36 | 36 | 36 | 20 | 15 | 36 | 36 | 40 | 36 | 20 | 15 | 10 | 15 | 10 | 1 | 60 | 31 | 00 | 35 | 00 | 15 | 10 |
| 110 | " | " | " | 100 | " | 66 | 58 | 51 | 46 | 41 | 37 | 37 | 37 | 21 | 16 | 37 | 37 | 42 | 37 | 21 | 16 | 11 | 16 | 11 | 1 | 65 | 32 | 00 | 36 | 00 | 15 | 11 |
| 120 | " | " | " | 110 | " | 68 | 60 | 52 | 47 | 42 | 38 | 38 | 38 | 22 | 17 | 38 | 38 | 44 | 38 | 22 | 16 | 11 | 16 | 11 | 1 | 65 | 34 | 00 | 38 | 00 | 16 | 11 |
| 130 | " | " | " | 120 | " | 70 | 62 | 53 | 48 | 43 | 39 | 39 | 39 | 23 | 18 | 39 | 39 | 46 | 39 | 23 | 17 | 12 | 17 | 12 | 1 | 75 | 34 | 00 | 39 | 00 | 16 | 11 |
| 140 | " | " | " | 130 | " | 72 | 64 | 54 | 49 | 44 | 40 | 40 | 40 | 24 | 19 | 40 | 40 | 48 | 40 | 24 | 17 | 12 | 17 | 12 | 1 | 75 | 35 | 00 | 40 | 00 | 16 | 11 |
| 150 | " | " | " | 140 | " | 74 | 66 | 55 | 50 | 45 | 41 | 41 | 41 | 25 | 20 | 41 | 41 | 50 | 41 | 25 | 18 | 13 | 18 | 13 | 1 | 80 | 36 | 00 | 40 | 00 | 17 | 12 |
| 160 | " | " | " | 150 | " | 76 | 68 | 56 | 51 | 46 | 42 | 42 | 42 | 25 | 20 | 42 | 42 | 50 | 42 | 26 | 18 | 13 | 18 | 13 | 1 | 90 | 37 | 00 | 40 | 00 | 17 | 12 |

**GROSS EARNINGS FROM OPERATION OF RAILROADS IN FLORIDA DURING THE TWELVE MONTHS ENDING
JUNE 30, 1902.**

| RAILROADS REPORTING | PASSENGER TRAIN EARNINGS | | | | | Total Freight Earnings | Total Other Earnings | Total Gross Earnings from Operations |
|--|--------------------------|---------------------|---------------------|--|--------------------------|------------------------|----------------------|--------------------------------------|
| | Passenger Revenue | Mail Revenue | Express Revenue | Extra (Luggage, Storage and other items) | Total Passenger Earnings | | | |
| Atlantic, Valdosta and Western..... | \$ 22,080 18 | \$ 2,701 45 | \$ 4,502 15 | | \$ 29,283 78 | \$ 71,001 05 | \$ 15,181 74 | \$ 115,625 57 |
| Carnegie, Tallahassee and Georgia..... | 16,080 01 | 3,826 52 | 2,031 28 | \$ 210 53 | 22,148 34 | 28,053 02 | 14,540 56 | 65,741 92 |
| Florida East Coast..... | 757,378 71 | 80,094 23 | 157,449 01 | | 994,922 55 | 84,654 25 | 94,400 12 | 1,030,477 84 |
| Florida Midland..... | 66 84 | | 7 01 | | 73 85 | 3,562 45 | 17 15 | 3,644 89 |
| Florida Southern..... | 115,372 07 | 21,481 41 | 42,705 75 | 900 47 | 181,209 72 | 295,770 80 | 2,821 18 | 479,801 90 |
| Gainesville and Gulf..... | 8,842 51 | 1,803 01 | 9,092 00 | | 21,011 42 | 44,134 00 | 2,818 11 | 67,958 18 |
| Georgia, Southern and Florida..... | 68,132 54 | 0,001 07 | 8,075 14 | 400 71 | 84,239 59 | 55,261 02 | 5,074 11 | 141,561 02 |
| Jacksonville and Southwestern..... | 11,677 10 | 1,501 00 | | 247 61 | 13,925 71 | 167,718 05 | 1,307 10 | 182,480 53 |
| Live Oak and Gulf..... | 2,571 04 | 713 00 | | | 3,284 04 | 13,811 81 | | 17,825 85 |
| Pensacola Railroad..... | 89,615 00 | 4,032 40 | 8,331 08 | 1,877 11 | 104,598 59 | 316,950 42 | 19,944 65 | 441,493 63 |
| Pensacola and Atlantic..... | 124,723 24 | 12,912 53 | 8,419 00 | 3,342 38 | 155,207 15 | 301,007 62 | 4,517 21 | 461,082 27 |
| Sanford and St. Petersburg..... | 36,365 25 | 9,718 49 | 10,184 84 | 277 23 | 66,546 81 | 83,647 34 | 277 05 | 149,471 20 |
| St. Johns and Lake Eustis..... | 2,820 43 | 2,141 51 | 802 24 | 41 75 | 6,810 78 | 9,020 13 | 17 09 | 15,747 97 |
| Savannah, Florida and Western..... | 803,007 19 | 122,333 70 | 125,634 30 | 9,898 09 | 1,060,873 28 | 2,376,258 75 | 70,413 77 | 8,610,815 81 |
| Seaboard Air Line..... | 591,516 85 | 61,840 29 | 74,400 25 | | 827,757 39 | 2,000,046 79 | 10,011 98 | 2,799,872 16 |
| *South Georgia..... | 8,829 46 | 1,214 09 | 30 01 | | 10,064 56 | 41,335 50 | 2,008 81 | 53,408 87 |
| Tallahassee and Gulf..... | 1,081 06 | | | | 1,081 06 | 8,831 81 | 30 31 | 9,943 18 |
| Valdosta Southern..... | 4,568 45 | 208 07 | | | 4,876 52 | 11,300 39 | | 16,266 49 |
| Totals..... | \$2,612,543 38 | \$330,341 94 | \$455,270 16 | \$17,281 2 | \$3,415,436 61 | \$4,679,872 42 | \$249,441 69 | \$10,375,745 71 |

*Earnings for Entire Line.

NOTE—No Reports have been received from the following Railroads:

Georgia, Florida and Alabama.
Pensacola and Andalusia.
Pensacola, Alabama and Tennessee.
Tallahassee Southeastern.
Yellow River Railroad.

OPERATING EXPENSES OF RAILROADS IN FLORIDA DURING THE TWELVE MONTHS ENDING JUNE 30, 1902.

| RAILROADS REPORTING | Mainten- ance of Ways and Structures | Mainten- ance of Equipment | Conducting Transporta- tion | General Expenses | Total Operating Expenses | Percentage of Operat- ing Expens- es to Gross Earnings |
|--|---|----------------------------------|-----------------------------------|---------------------|--------------------------------|--|
| Atlantic, Valdosta and Western..... | \$ 19,077 04 | \$ 15,826 07 | \$ 42,417 76 | \$ 7,304 34 | \$ 84,625 21 | 73.19 |
| Carrabelle, Tallahassee and Georgia..... | 16,762 48 | 9,376 63 | 23,050 15 | 19,368 49 | 59,557 66 | 90.32 |
| Florida East Coast..... | 515,336 44 | 172,372 60 | 848,219 88 | 67,382 77 | 1,403,291 64 | 72.44 |
| Florida Midland..... | 3,485 98 | 371 33 | 2,265 79 | 71 52 | 6,194 62 | 130.97 |
| Florida Southern..... | 108,900 13 | 48,647 05 | 191,260 87 | 13,720 54 | 362,528 59 | 75.56 |
| Gainesville and Gulf..... | 18,930 71 | 4,378 17 | 21,232 77 | 7,719 42 | 47,261 07 | 69.91 |
| Georgia, Southern and Florida..... | 31,518 53 | 52,193 85 | 62,672 69 | 11,546 08 | 157,931 15 | 109.24 |
| Jacksonville and Southwestern..... | 30,211 94 | 21,248 03 | 57,384 19 | 10,662 75 | 119,507 81 | 65.49 |
| Live Oak and Gulf..... | 3,696 38 | 523 32 | 5,785 29 | 717 67 | 10,722 57 | 61.88 |
| Pensacola Railroad..... | 100,677 98 | 51,474 03 | 158,376 48 | 12,199 14 | 412,727 58 | 93.50 |
| Pensacola and Atlantic..... | 113,591 84 | 66,904 71 | 149,738 19 | 16,921 59 | 347,066 33 | 74.80 |
| Sanford and St. Petersburg..... | 52,199 33 | 15,414 85 | 69,459 62 | 4,192 87 | 141,266 67 | 100.57 |
| St. Johns and Lake Eustis | 11,969 14 | 1,730 74 | 10,055 42 | 768 78 | 23,922 08 | 151.91 |
| Savannah, Florida and Western..... | 536,441 34 | 485,431 94 | 1,278,635 22 | 114,363 53 | 2,415,074 03 | 68.93 |
| Seaboard Air Line..... | 356,318 32 | 305,411 59 | 1,257,650 37 | 126,486 96 | 2,045,866 34 | 75.50 |
| *South Georgia..... | 6,885 70 | 2,148 10 | 12,276 94 | 5,892 70 | 27,193 14 | 50.00 |
| Tavares and Gulf..... | 4,574 64 | 634 04 | 5,280 11 | 2,481 05 | 13,269 84 | 133.33 |
| Valdosta Southern..... | 2,876 71 | 803 39 | 2,947 61 | 1,347 31 | 7,774 93 | 48.09 |
| Totals | \$2,017,764 63 | \$1,254,991 25 | \$3,990,908 86 | \$414,016 52 | \$7,695,781 20 | ..... |

*Expenses for Entire Line.

NOTE—No Reports have been received from the following Railroads:
 Georgia, Florida and Alabama.
 Pensacola and Andalusia.
 Pensacola, Alabama and Tennessee.
 Tallahassee Southeastern.
 Yellow River Railroad.

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MILEAGE OF RAILROADS IN FLORIDA, JUNE 30, 1903.

| NAMES OF RAILROADS | Miles of Main Track | Miles of Yard Track and Siding | Miles of Branches and Spurs | Total Mileage Operated |
|--|---------------------|--------------------------------|-----------------------------|------------------------|
| Atlantic, Valdosta and Western..... | 39.07 | 9.08 | 8.50 | 56.65 |
| Carrabelle, Tallahassee and Georgia..... | 50.00 | 3.58 | ..... | 53.58 |
| Florida East Coast..... | 484.95 | 53.04 | ..... | 538.89 |
| Florida Midland..... | 44.00 | .58 | ..... | 44.53 |
| Florida Southern..... | 218.15 | 31.14 | 28.20 | 277.58 |
| Gainesville and Gulf..... | 48.00 | 2.00 | ..... | 50.00 |
| Georgia, Florida and Alabama..... | 23.00 | .38 | ..... | 23.38 |
| Georgia, Southern and Florida..... | 116.00 | 13.33 | ..... | 129.33 |
| Jacksonville and Southwestern..... | 85.60 | 6.00 | ..... | 91.60 |
| Live Oak and Gulf..... | 18.00 | ..... | ..... | 18.00 |
| Pensacola Railroad..... | 44.21 | 30.77 | ..... | 74.98 |
| *Pensacola and Andalusia..... | 20.00 | 1.00 | ..... | 21.00 |
| Pensacola and Atlantic..... | 160.14 | 9.13 | ..... | 169.27 |
| *Pensacola, Alabama and Tennessee..... | 23.30 | 2.35 | ..... | 25.65 |
| Sanford and Lake Eustis..... | 28.62 | 1.73 | ..... | 30.35 |
| Sanford and St. Petersburg..... | 153.83 | 9.88 | ..... | 163.21 |
| St. Johns and Lake Eustis..... | 37.94 | 2.05 | 9.48 | 49.47 |
| Savannah, Florida and Western..... | (a) 566.72 | 127.49 | 165.60 | 859.81 |
| Seaboard Air Line..... | 738.31 | ..... | 12.83 | 751.14 |
| South Georgia..... | 12.41 | .12 | ..... | 12.53 |
| *Tallahassee Southeastern..... | 20.00 | ..... | ..... | 20.00 |
| Tavares and Gulf..... | 35.63 | 1.38 | ..... | 36.41 |
| Valdosta Southern..... | 13.00 | ..... | ..... | 13.00 |
| Yellow River Railroad..... | 25.90 | 1.22 | 5.00 | 32.12 |
| Total..... | 3,005.68 | 307.10 | 229.70 | 3,542.48 |

*No Report filed by Railroad. Figures furnished by State Comptroller.

(a) Of this mileage 62.21 miles are operated under lease.